

REMARKS

Claims 57-88 are pending. Claims 57-68 have been withdrawn. This Response to Restriction Requirement is responsive to the Office Action mailed April 4, 2008 restricting claims 57-88 into three inventions.

Inventions:

The Restriction Requirement provides:

- I. Claims 57-67 are drawn to analyzing interconnections between routing devices by approximating the behavior at said devices, classified in class 709, subclass 240.
- II. Claims 68-78 are drawn to simplifying routes by combining one or more routing devices, classified in class 709, subclass 239.
- III. Claims 79-88 are drawn to selecting a destination for network traffic because the destination has content associated with a geographic location of a source of the network traffic, classified in class 709, subclass 242.

Applicants' Provisional Election:

Applicants provisionally elect for examination of invention I (claims 57-67), with traverse.

For a restriction requirement to be proper, the Examiner must satisfy the following two criteria: (1) the existence of independent and distinct inventions (35 U.S.C. § 121); and (2) that the search and examination of the entire application cannot be made without *serious burden* on the Examiner. See M.P.E.P. § 803. Applicants request that the restriction requirement be reconsidered because the Examiner has not met the burden of demonstrating that a *serious burden* would be required to examine all the claims. M.P.E.P. § 803 provides:

“If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.” (*Emphasis added.*)

Applicant respectfully submits that the Examiner has not shown that the second requirement has been met. Specifically, there has been no showing that it would be a serious burden to search and examine the three inventions together. Applicant submits that the inventions are related in that they each involve aspects of routing network traffic, and that multiple searches by the Examiner are not required. Because little or no additional burden would be required to search and examine the groups together, Applicants respectfully submit that the Examiner should search and examine the groups together. Indeed, it would be most efficient to keep them together.

Consequently, reconsideration and modification or withdrawal of the restriction requirement is requested. For the reasons stated above, Applicant respectfully asserts that restriction of the claims as set forth by the Examiner would be contrary to promoting efficiency, economy and expediency in the Patent Office and further point out that restriction by the Examiner is discretionary (M.P.E.P. § 803.01). Thus, Applicant respectfully requests that all of the claims of this application be examined together.

Applicant believes that this constitutes a full response to the outstanding restriction requirement. To facilitate prosecution, however, Applicant requests that the Examiner contact the undersigned for any clarification necessary.

Conclusion

No fee is believed due beyond the fee for the Request for an Extension of Time that accompanies this response; however, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0629.

Respectfully submitted,

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